

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-006342

01/15/2008

HON. SUSANNA C. PINEDA

CLERK OF THE COURT

A. Kimble

Deputy

IN RE THE MARRIAGE OF
CYNTHIA LEE THIMMESCH

TERI D MCCALL

AND

PETER ALLAN THIMMESCH

PETER ALLAN THIMMESCH
11337 STONEHOUSE PLACE
POTOMAC FALLS VA 20165

MINUTE ENTRY

This Court is in receipt of Petitioner's Motion for Relief filed November 19, 2007 and Respondent's Response thereto filed January 2, 2008.

THE COURT NOTES that Petitioner's Motion is timely. Although this Court's order was dated October 30, 2007, it was not "filed" by the clerk until November 2, 2007. The time in which to file the Motion would have commenced from that date. Additionally, the 15th day landed on a weekend, resulting in Monday, November 19, 2007 becoming the 15th day. See Rule 4(A) Arizona Rules of Family Law Procedure.

Pursuant to Rule 83(A)(5),

THE COURT FINDS that a mistake of law exists requiring that this Court to revisit the original Motion.

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Although Respondent correctly asserted that Petitioner can obtain a duplicate passport for the minor child, Andrew, said procedure requires that any existing passport be submitted to the Federal Government to process that request. Given this,

IT IS ORDERED that Respondent shall provide Petitioner with Andrew's original passport, no later than January 31, 2008. Mother may utilize this passport for the scheduled trip to Mexico.

IT IS FURTHER ORDERED that Mother shall also immediately apply for a duplicate passport.

IT IS FURTHER ORDERED that upon return from her February 2008 trip, or upon the issuance of the duplicate passport, whichever occurs first, Mother shall return the original passport to Father.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/ s / HON. SUSANNA C. PINEDA

JUDICIAL OFFICER OF THE SUPERIOR COURT